

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

LETTERS PATENT APPEAL ST.NO. 33290 OF 2011

IN

WRIT PETITION NO. 40/2011

BASWANT SAMPATRAO BHOSALE

VERSUS

LATUR ZILLA DEKH REKH SAHAKARI SANGH LIMITED LATUR THROUGH
CEO

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Advocate for Appellant : Mr. Golewar V.P.

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: July 30, 2015

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PER COURT :-

1) The appellant/employee is taking exception to the order passed by learned Single Judge in Writ Petition No. 40/2011 decided on 15.2.2011.

2) The learned Single Judge while confirming the order passed by the Labour court in respect of reinstatement of the employee in service, has modified the order entitling the employee to receive 100% of back wages and directed the employer to pay 50% of the back wages. It is not a matter of dispute that the employee was reinstated in service on 21.12.2010 and during pendency of the writ petition before the learned Single Judge, has retired on attaining the age of superannuation.

3) In the facts and circumstances of this case, the directions issued by the learned Single Judge to the employer to pay back wages to the employee to the extent of 50%, appear to be reasonable and proper. No interference is called for in the instant LPA. Even otherwise, after passage of many years from the date of retirement of the employee, no interference is called for. The LPA is devoid of substance and the same stands dismissed.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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